

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES D. BLACK,	:	Case No. 1:07 CV 0642
	:	
Petitioner,	:	
	:	JUDGE KATHLEEN O'MALLEY
v.	:	
	:	
JULIUS WILSON, Warden	:	<u>ORDER</u>
	:	
Respondent.	:	

James Black has petitioned this Court for a writ of habeas corpus pursuant to 28 U.S.C. §2254, in which he challenges the constitutional sufficiency of his state court conviction for theft. Black's petition was referred to a magistrate judge of this Court, pursuant to 28 U.S.C. §636 and Local Rule 72.2(b)(2).

Upon review of the parties' submissions, the magistrate judge issued a Report and Recommendation ("R&R") (Doc. 17), in which she recommends that Black's petition be denied. Black has not filed any timely objections to the R&R. Because the Court reaches the same conclusions as the magistrate judge, no further articulation of its reasoning is required. Tuggle v. Seabold, 806 F.2d 87, 92-93 (6th Cir. 1986).

Accordingly, the Court hereby **ADOPTS** the magistrate judge's R&R. Black's petition is **DENIED** and his case, are **DISMISSED**.

**IT IS SO ORDERED.**

s/Kathleen M. O'Malley  
**KATHLEEN McDONALD O'MALLEY**  
**UNITED STATES DISTRICT JUDGE**

Dated: October 9, 2007